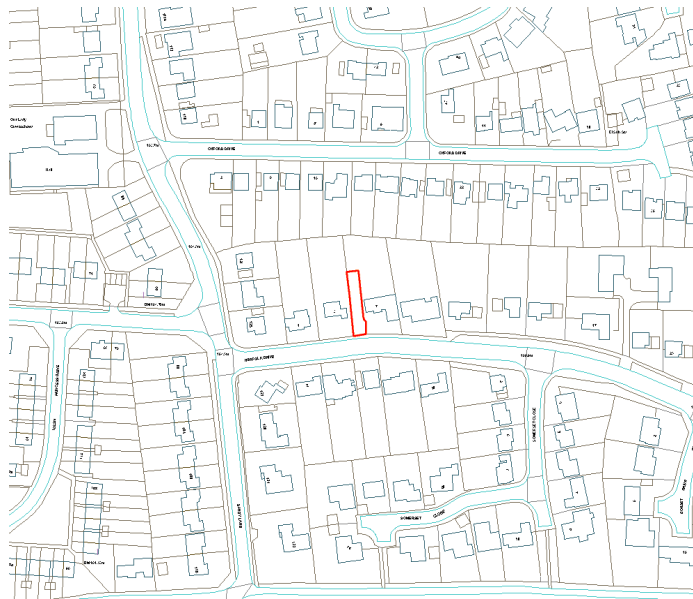


Committee date: 25th May 2011

Reference: 11/00178/OUT
Date submitted: 08.03.11
Applicant: Mrs M Bailey
Location: 7 Norfolk Drive Melton Mowbray
Proposal: Outline permission for 1 one bedroom bungalow (in the grounds of 7 Norfolk Drive)



Proposal :-

This application seeks planning outline permission with all matters reserved for the erection of a one bedroom bungalow on land to the side of no. 7 Norfolk Drive. The dwelling is to be located within the Town Envelope where there is a presumption in favour of development. The area currently forms part of the residential garden area and houses several outbuildings. The area consists of residential dwellings with many occupying large plots benefitting from having front gardens with off street parking.

It is considered that the main issues relating to this proposal is:-

- **‘Garden Grabbing’ resulting on impact upon the Character of the area**
- **Impact upon residential amenities**

The application is to be considered by Committee following a request from the Ward Councillor .

Relevant History:-

10/00784/OUT Planning permission has been refused for a two bed room bungalow in the rear garden of no. 7 Norfolk drive due to creating back land development out of keeping with the character of the area. 23rd November 2010

Planning Policies:-

PPS 1: Delivering Sustainable Development - The guidance says that planning should promote sustainable and inclusive patterns of development. PPS1 requires local authorities to deliver development that is located in areas which reduce the need to travel by car and provide access to all members of the community to jobs, health, housing, education, shops, leisure, and community facilities. PPS1 suggests that the focus for development should be existing centres and discourages any new development which would impact negatively on the environment and actively encourages development which reduces the impacts of climate change.

PPS 3: Housing - amplifies the advice set out in PPS1, and particularly says that housing should be developed in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure. The priority for development in such locations should be previously developed land, where appropriate. The amended statement has removed residential garden areas from the brownfield classification to ensure that the character of the areas are not unduly impacted upon. PPS3 also sets out clear advice on determining planning applications, stating that we should have regard to the suitability of a site for housing (including its environmental sustainability) and that we should ensure that proposals are in line with housing objectives and do not undermine wider policy objectives. PPS3 specifically states that “Developers should bring forward proposals for market housing which reflect demand and the profile of households requiring market housing, in order to sustain mixed Communities” (Para 23). In relation to market housing PPS3 states that “One of the Government’s key objectives is to provide a variety of high quality market housing. This includes addressing any shortfalls in the supply of market housing and encouraging the managed replacement of housing, where appropriate. Local Planning Authorities should plan for the full range of market housing. In particular, they should take account of the need to deliver low-cost market housing as part of the housing mix” (Para 25 & 26)

Melton Local Plan (saved policies):

Policies OS1 and BE1 allow for development within the Town Envelope providing that:-

- the form, character and appearance of the settlement is not adversely affected;
- the form, size, scale, mass, materials and architectural detailing of the development is in keeping with its locality;
- the development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity; and,
- satisfactory access and parking provision can be made available.

Melton LDF Core Strategy: seeks to focus development in Melton Mowbray with a small balance (20%) in the surrounding Borough, with expectations to produce mixed, integrated housing developments and meet local needs by addressing identified imbalances in housing stock in all locations.

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
Highway Authority – Ensure that the parking and turning provisions comply with Highway Authority standards.	The application is for outline planning permission with all matters reserved. Indicative drawings have been presented which show parking provisions for 2 cars utilising the existing access to the host dwelling which currently has a dual access creating a sweeping drive in/out arrangement. Access arrangements will be a matter for the Reserved Matters application and a condition should

	<p>be imposed to ensure that adequate parking and turning be accommodated within the site.</p> <p>It is not considered that the development would have a detrimental impact on highway safety.</p>
<p>Ward Councillor – Object to this application because:-</p> <p>(a) it is ‘garden grabbing’ which it is thought the Coalition Government has said is no longer acceptable; and</p> <p>(b) because the garden of 7 Norfolk Drive borders on to other gardens to the east, west and north. It is unacceptable for the proposed property to be built in the garden as it will be adverse to the established local environment.</p>	<p>The development is supported in principle by the Local plan (policies OS1 and BE1) in terms of its general location (i.e. within the town envelope). The dwelling will be sited adjacent the host building on land where existing outbuildings currently sit. There is also a two metre close boarded fence set back within the driveway, running from the front elevation to the western boundary. No 7 Norfolk drive is a two storey large detached dwelling situated in an extensive plot. The occupiers of the host property is wishing to down size and to stay in the area and attempts to build in the rear garden were not acceptable due to creating back land development. This proposal is an improvement in terms of sitting the proposal between existing dwellings and therefore not breaching any building line which is clearly evident and a strong feature in the area.</p> <p>The Government had responded to the issues of overdevelopment in neighbourhoods and ‘Garden Grabbing’ by amended PPS3 which reclassified residential garden area from brownfield to Greenfield, which removes the presumption that all development is favourable. If new housing is to be provide to address the shortfall in housing provisions it will be necessary to consider some development on residential gardens where the locations are considered to be sustainable and the proposed house type meets the local indentified housing need.</p> <p>Not all development on residential gardens would have a detrimental impact upon the character of a neighbourhood and it will be a matter of judgement to assess the harm development may have. In the case of this application site it is located within a residential estate on land between two dwellings. The location is highly sustainable as it is within the town envelope where the focus of new development should be through the formulation of the LDF.</p> <p>The area currently houses outbuildings and the expanse of screening is not considered to enhance the area. Development on this site would provide an active street frontage and it is considered that a single storey dwelling which has been identified as meeting local housing needs and complies with Life Time Home objectives could be acceptable subject to matters relating to design, materials and no</p>

	<p>adverse impact upon neighbouring residential amenities which are objectives of development plan policy OS1 and BE1.</p> <p>The proposal would sit between two dwellings; to the west is a detached dwelling with garage running along the shared boundary. There are no habitable windows facing on to the application site. The indicative drawings show that a single storey dwelling would have limited impact upon the occupiers where a 2 metre close boarded fence would eliminate any potential overlooking. To the East is the applicants current dwelling which would become available on the open market if permission is granted. The windows on the west elevation also do not contain habitable windows but again the indicative drawing shows that no windows need be proposed on the east elevation of the bungalow. Any potential impact upon the residential amenities can be designed out.</p> <p>Due to having very long rear gardens the dwellings to the north of the development will have no impact due to the separation distance exceeding current standards and the situation to the south will be no greater than the existing arrangement between dwellings on either side of the highway.</p> <p>It is considered that development of a single storey dwelling in this location, although proposed on residential garden where there is no presumption in favour of development, that the character of the neighbourhood will not be adversely affected to warrant a refusal. Subject to matters relating to scale, size, siting, access and appearance being considered at Reserved Matters stage, the outline application should be supported. Furthermore a bungalow would meet the local identified need for housing by providing an opportunity for downsizing freeing up a larger family home.</p>
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Representations:

Neighbouring properties have been consulted and as a result 1 letter of objection has been received.

Representation	Assessment of Head of Regulatory Services
<ul style="list-style-type: none"> • Out of keeping with the area 	<p>The character of the area is one of large dwellings on large plots which provides separation distances which exceed current styles. Some of the dwellings have been extended to the side which reduces the separation between them. The single storey development proposed is considered not to compromise the open feel to the estate due to replacing existing outbuildings and because the</p>

<ul style="list-style-type: none"> • Not brownfield land • Will set a precedent in the area. 	<p>neighbouring building to the west is also a single storey garage with the two storey dwelling beyond. There are no bungalows in this area, so the house type proposed may be considered out of keeping however the housing needs survey shows that this type of dwelling is much needed within an increase in an ageing population. It is considered that the proposal could have social benefits which outweigh the need to have a house type more associated with the area.</p> <p>As stated above residential gardens have been removed from the brownfield classification. In determining proposals of this nature its harm upon the character of the area is a material consideration. For reasons outline above it is considered that the development of the site for a single storey dwelling would not have a detrimental impact upon the area and is therefore acceptable.</p> <p>Each application has to be considered on its own merits. Allowing the proposal does not automatically give preference to similar type of proposals. Factors, such as design, siting and impact upon residential amenities will need to be adjudged acceptable before any further approvals could be given.</p>
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Conclusion

The application site lies within the town envelope and thus benefits from a presumption in favour of development under policies OS1 and BE1. The proposal is for the subdivision of a large plot to allow the construction of a single storey dwelling to allow the applicant to downsize from the large dwelling, which would later become available on the open market. The application is in outline form with all matters reserved for further consideration to assess if development would be received favourable in this location. It is considered that subject to the design and impact upon the neighbours a single storey dwelling is considered acceptable without unduly impacting upon the character of the area. Development of the site would remove the older outbuildings and the close boarding fencing giving an opportunity to provide an active frontage with landscaping which in turn could enhance the area. Accordingly it is considered that the proposal should be approved.

RECOMMENDATION:- Approval, subject to the following conditions;

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development to which this permission relates shall begin not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

2. No development shall commence on the site until approval of the details of the "layout, scale, external appearance of the building(s), access and the landscaping of the site" (hereinafter called "the reserved matters") has been obtained from the Local Planning Authority.

3. No development shall start on site until all external materials to be used in the development hereby permitted have been agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. No development shall start on site until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall indicate full details of the treatment proposed for all hard and soft ground surfaces and boundaries together with the species and materials proposed, their disposition and existing and finished levels or contours. The scheme shall also indicate and specify all existing trees and hedgerows on the land which shall be retained in their entirety, unless otherwise agreed in writing by the Local Planning Authority, together with measures for their protection in the course of development.
5. The approved landscape scheme (both hard and soft) shall be carried out before the occupation of the buildings or the completion of the development, whichever is the sooner; unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
6. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed.
7. No vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access, or across the first 5 metres of the proposed access and parking/turning area.
8. The type of dwelling proposed under condition 2 shall have regard to local market housing needs and be of a single storey in height.

Officer to contact: **Mrs Denise Knipe**

10th May 2011